

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

ANTHONY BAILEY,

Plaintiff,

vs.

CPT. RICH SUEY, *et al.*,

Defendants.

Case No. 2:12-cv-01954-JCM-CWH

**ORDER**

This matter comes before the Court on A Motion/Application to Proceed *In Forma Pauperis* (#136) filed an individual identified as Tony G. Hewitt, who claims he is an interested party to this litigation.

The application to proceed *in forma pauperis* is insufficient. It appears Mr. Hewitt is currently incarcerated. His application is submitted on Clark County forms and cites to Nevada state law. Any person seeking to proceed *in forma pauperis* within the District of Nevada must submit an application on the form provided by this court. *See* LSR 1-1 (“The application shall be made on the form provided by the Court and include a financial affidavit disclosing the applicant’s income, assets, expenses and liabilities.”). Additionally, because Mr. Hewitt is incarcerated, his application must be accompanied by a financial certificate from the institution in which he is incarcerated. *See* LSR 1-2 (“An application to proceed *in forma pauperis* received from an incarcerated or institutionalized person shall be accompanied by a certificate from the institution certifying the amount of funds currently held in the applicant’s trust account at the institution and the net deposits in the applicant’s account for six (6) months preceding the submission of the application.”).

Having failed to comply with these requirements, Mr. Hewitt’s application to proceed *in*

1 *forma pauperis* will be denied without prejudice. Mr. Hewitt shall be afforded thirty (30) days to  
2 submit a rule compliant application. THE FAILURE TO DO SO WILL RESULT IN A  
3 RECOMMENDATION THAT THE APPLICATION BE DENIED. The Court does not take any  
4 position at this time as to whether Mr. Hewitt may join this litigation as an interested party. Upon  
5 submission of an accurate, complete application to proceed *in forma pauperis*, and assuming the  
6 application is granted, the Court will review Mr. Hewitt's request to join this litigation. is an  
7 interested party.

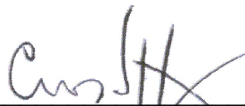
8 Based on the foregoing and good cause appearing,

9 **IT IS HEREBY ORDERED** the Motion/Application to Proceed *In Forma Pauperis*  
10 (#136) is **denied without prejudice**.

11 **IT IS FURTHER ORDERED** that any renewed application must be filed within **30 days**  
12 of this order. FAILURE TO DO SO WILL RESULT IN A RECOMMENDATION THAT THE  
13 APPLICATION BE DENIED.

14 **IT IS FURTHER ORDERED** that any renewed application **must** be submitted on Court  
15 approved forms and must be accompanied by a signed financial certificate and certified copy of the  
16 prisoner trust fund account for the previous six months. The Clerk of the Court shall send Plaintiff  
17 a blank application form for *pro se* litigants who are incarcerated. In the alternative, the applicant  
18 may make the necessary arrangements to pay the filing fee

19 DATED: January 23, 2015.

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23 Carl W. Hoffman, Jr.  
24 United States Magistrate Judge  
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